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**OFFICE OF PETITIONS**

In re Application of :  
Fred S. Cannon et al :  
Application No. 10/085,469 :  
Filed: February 28, 2002 :  
Attorney Docket No. 823.0115USU :  
: DECISION ON PETITION  
: TO WITHDRAW  
: FROM RECORD

This is a decision on the Request to Withdraw as attorney or agent under 37 C.F.R. § 1.36(b) or 37 C.F.R. § 10.40 filed November 1, 2005.

The request is **APPROVED**.

A review of the file record discloses that, in response to a Notice to File Missing Parts of Nonprovisional Application, mailed March 25, 2002, an executed oath or declaration by all the inventors was filed on June 18, 2002, appointing Paul D. Greeley and Charles N. J. Ruggiero as the attorneys of record. Subsequently, on November 19, 2002, the Office received a "Revocation and Substitute Power of Attorney," appointing Jason A. Bernstein and Pamela A. Ruest to prosecute the application. This revocation and power of attorney was accepted on December 10, 2002. However, the revocation and power of attorney was improperly accepted since the signing party failed to comply with the provisions of 37 CFR 3.73(b). Accordingly, the Notice of Acceptance of Power of Attorney mailed December 10, 2002 is vacated, leaving as attorneys of record Paul D. Greeley and Charles N. J. Ruggiero.

In view of the above, Jason A. Bernstein and Pamela A. Ruest: (1) do not have power of attorney in this patent application; but (2) have been employed or otherwise engaged in the proceedings in this patent application. In view of the present decision, Jason A. Bernstein and Pamela A. Ruest, as well as the attorneys associated with Customer No. 25207, have been withdrawn from the present application and may not prepare or submit papers under 37 C.F.R. § 1.34, or correspond in any manner in this application unless appointed in an acceptable power of attorney under 37 C.F.R. § 1.32(b).

As noted above, Paul D. Greeley and Charles N. J. Ruggiero remain as attorneys of record in this application and all future communications from the Office will be directed these attorneys at the below-listed address of record.

A final Office action in this application was mailed to the law firm of Powell, Goldstein, Frazer & Murphy on March 10, 2006, setting a three (3) month shortened statutory period for reply, with extensions of time being available pursuant to the provisions of 37 CFR 1.136(a). A copy of this Office action is being mailed herewith to the below-listed correspondence address. Failure to timely file a proper reply to this Office action will result in the abandonment of the application.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-3218.

*Frances Hicks*  
Frances Hicks  
Petitions Examiner  
Office of Petitions

Conferee: *df*

cc:

Paul D. Greeley  
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ATTACHMENT TO CC: Copy of Office action mailed March 10, 2006